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International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination

Concluding observations on the combined second to fifth periodic reports of Oman*

Addendum

Information received from Oman on follow-up to the concluding observations

[Date received: 30 October 2017]

* The present document is being issued without formal editing.

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Response from the Ministry of Manpower to the concluding observations of the Committee on the Elimination of Racial Discrimination on the combined second to fifth periodic reports

Paragraph 20 (b)

Intensify its efforts to prevent and investigate cases of abuse of migrant workers, including forced labour, and prosecute those responsible, to increase the number and presence of qualified and trained labour inspectors and to inform the Committee about the results of these investigations.

1. The Ministry of Manpower plays a key role in regulating the labour market and requiring private-sector institutions to implement the Labour Code as well as health and safety norms. A special labour inspection team has been established. Most of its members have legal qualifications and specialize in areas relating to labour market inspections. They have attended wide-ranging training courses on international standards, supervised by the International Labour Organization (ILO), the purpose of which is to enhance inspectors' efficiency. By the end of December 2016, the number of male and female inspectors totalled 365. With a view to expanding procedures for labour-market oversight and regulation, many departments and directorates have been opened in the governorates of the Sultanate.

2. Memorandums of understanding have been signed with the following labour-sending countries in order to regulate the recruitment of human resources and to safeguard the workers' rights: India, Bangladesh, Sri Lanka, Viet Nam, the Islamic Republic of Iran, the Syrian Arab Republic, the State of Palestine, Egypt and Morocco. Some of the memorandums contain a clause providing for the exchange of information between the two countries in order to prevent illegal labour recruitment and human trafficking. Discussions on the signing of similar memorandums of understanding are under way with the following countries: Pakistan, Kenya, the Government of Zanzibar, Nepal and the Philippines.

3. Action taken by the Ministry to implement the 2016 Labour Code:

- Comprehensive inspections of establishments: The Ministry's inspectorate monitors and ascertains compliance with the regulations and laws applicable to the labour market. The number of inspection visits to establishments totalled 8,890 in 2016.
- Occupational safety and health inspections: During 2016 a total of 1,328 on-site occupational safety and health inspections were conducted in Sultanate establishments to ascertain their compliance with the occupational safety and health provisions of the Labour Code and with the provisions of the Regulation governing Occupational Safety and Health in Private-Sector Establishments, the aim being to protect workers from occupational injuries, to ensure their safety and to promote an appropriately healthy working environment. A total of 693 establishments were found to be non-compliant with the provisions of the Regulation and legal action was taken against them.
- Complaints and communications: In 2016 the Ministry received 11,378 labour-related communications or complaints concerning non-compliance with the provisions of the Labour Code and related enforcement decisions. Amicable settlements were achieved in 8,614 cases and 2,824 complaints were referred to the courts for an appropriate ruling. A total of 312 complaints were still under investigation in 2016.
- Trade unions: There were 232 trade unions in the Sultanate in 2016. Their members were employed in industrial and commercial enterprises and establishments engaged in other economic activities.
- Joint investigations: The data for 2016 indicate that there were 21,946 arrests, 10,047 offenders and 11,899 deportations.

- Regulations and legislation: Domestic regulations and legislation provide for the transfer of workers from one employer to another. The Ministry receives requests from workers who wish to move to another employer. It received 632 requests in 2016, as shown in the following table:

Result of the complaint	*Under consideration*	*Amicable settlement*	*Referral to the court*	*Referral to the inspection team*
Total	**28**	**330**	**274**	**0**

4. Training: The Ministry of Manpower participated in the following training programmes, workshops and seminars in order to improve the efficiency of its staff engaged in inspection activities during the period from November 2015 to 22 May 2017:

- A workshop on the settlement of labour disputes (May 2015);
- A workshop on international labour standards (July 2015);
- A workshop on tripartite social dialogue (September 2015);
- A workshop on development of the role of sectoral committees from a social dialogue perspective (September 2015);
- A workshop on capacity-building of staff dealing with international and Arab labour standards (May 2016);
- A workshop on information technology and its impact on new labour market patterns (September 2016);
- Participation in a national symposium entitled "Localization of jobs and employment opportunities for Arab workers in light of changes in the Arab region" (October 2016);
- Participation in a meeting in Geneva on health and safety in ports (November 2016);
- A seminar in Bahrain entitled "Unregulated labour in the Cooperation Council States" (1 February 2016);
- A meeting in Geneva on health and safety in ports (21 to 30 November 2016);
- Participation in a workshop in Dubai on international labour standards and reporting obligations on labour inspection and forced labour (8 to 11 May 2017);
- A seminar on human trafficking in cooperation with the Ministry of Foreign Affairs (21 May 2017).

5. The principal committees tasked with coordinating action are:

Committee/programme	*Mandate*	*Bodies responsible for implementing the policy*
Committee responsible for meeting with the embassies of labour-sending countries	To seek appropriate solutions to problems faced by the expatriate labour force	Ministry of Manpower Police of the Sultanate of Oman Ministry of Foreign Affairs Labour-sending countries
Committee responsible for regularizing the status of the expatriate labour force	To regularize the state of the expatriate labour force	Ministry of Manpower Office of the Public Prosecutor Police of the Sultanate of Oman Ministry of Foreign Affairs

Paragraph 20 (d)

Take measures to raise awareness among migrant workers about all existing channels for submitting complaints, including filing cases with the courts, and, to this end, provide legal information and advisory services to victims and guarantee access to those services.

6. The Ministry of Manpower has taken vigorous action to simplify the procedures for submitting labour complaints. It launched a system for receiving workers' complaints electronically through its website (www.manpower.gov.om) in August 2016. Workers can submit complaints by accessing the Ministry's website or by using their mobile phone and following the required procedures in any place and at any time. The complaint and communication system offers the following services:

- Receipt of workers' complaints;
- Monitoring of the status of registered complaints;
- Communications submitted by private-sector enterprises that violate the Labour Code;
- Communications submitted to the labour force in violation of the provisions of the Labour Code.

7. The Ministry also implements the following awareness-raising programmes:

- Preparation of manuals in 14 languages for dissemination among expatriate workers in Oman with a view to providing them with adequate information about their rights and access to care and protection, offering advice on compliance with labour contracts and legal provisions so that they may avoid being subjected to adverse practices resulting in cases of human trafficking, and informing them of how to contact the competent authorities in the event of any violation of their rights;
- Provision of a daily 24-hour hotline service (toll-free number 80077000) to record comments, complaints and communications concerning the Labour Code and any violations thereof or of its implementing regulations;
- Provision of awareness-raising services for workers and employers; in 2016 the Ministry organized 625 individual awareness-raising programmes and 60 group awareness-raising programmes. It also sent about 140,512 awareness-raising messages.